

September 3, 2024

# HARMONY BOROUGH COUNCIL MEETING September 3, 2024

**COUNCIL MEMBERS PRESENT:**

Greg Such  
Phyllis Metz  
Frank Luek  
Dave Szakelyhidi  
Joe Dippold  
Don Sims  
Jason Sarver  
Mayor Cathy Rape.

**OTHERS PRESENT:**

Bob Leonberg  
Charles Schramm  
Jim Miller  
Tom Thompson  
Andrew Orient

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**CALL TO ORDER:**

Council President Greg Such called the meeting to order at 7:00 pm.

**PLEDGE OF ALLIGANCE:**

**MINUTES:**

In a motion made by Frank Luek and seconded by Dave Szakelyhidi, the Harmony Borough Council unanimously approved the August 6,2024 Council meeting minutes.

Corrected noted: Don Sims last name was misspelled on the last page.

**SOLICITOR'S REPORT:**

Solicitor Matt Racunas reported that Amy received a Right to Know for some documents. FIOA Buddy, (Freedom of Information Act Buddy) has been sending them to a bunch of his clients. He thought the request was the same as t WBCA, but ours was more generic. They asked for invoices for telephone and internet services. He had Amy redact out account numbers or any other identifying any information. As a public entity those are public knowledge so there was no getting around giving the information out. Greg said there was some discussion going around that if the persons name was not associated with the request, then we did not have to have to complete. Matt stated that this did have a gentleman's name on it, but it is true that if it does not, we do not have to fulfill. Dave asked Matt what the purpose of this Right to Know is. Matt is not sure why they are gathering information. Dave asked if they received our residents' names. Matt stated that they just wanted the Boroughs utility bill information, and not residents. That was submitted and is taken care of.

Matt requests an executive session for personnel

**BOARD REPORTS/APPOINTMENTS:**

**Appointments:**

None

**COG:**

Greg Such reported that the COG meeting is this month.

**HARB:**

None

**Water Authority Board:**

Dave Szakelyhidi reported that the Authority was made to issue a boil water advisory by the DEP because of the water leak and lost line pressure.

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Nothing got into the system, this was just an overabundance of caution. The hole was 2 ft lower than the break; water came out as we repaired the break and nothing went in. It was a pretty decent leak; glad we got it taken care.

**Parks Board:**

Greg Such reported that there was a color run benefit and there were 100 participants. It was well received, and everyone had a great time. Used the Jackson soccer fields (Sippel Park). The Parks Board set up a course that was 1.68 miles long up through the soccer fields to the Meeting House and back. We made some money also.

Dave said that Tim Sapienza asked if we wanted the picnic table at the fire hall. It's a well-built table and in good shape. It would need to be moved with the skid loader. Dave wasn't sure if one of the parks wanted it. Greg said that if it's in good shape we will take it. Frank Luek will bring it up at the Parks Board meeting tomorrow night.

**Library Board:**

Frank Luek reported that the Apple Fest is September 21, 3-7 at Sippel Park. Raffle tickets, children's activities, vendors, apple themed events, Penguin and Steeler tickets and a quilt will be raffled off.

**Historic Harmony:**

Museum Christmas market is Nov 9 and 10<sup>th</sup>.

The Membership meeting on September 10 is at 7pm. The presentation will be from Mike Schoeffel about the Harmony Trolley Line.

**Planning Commission:**

Larry Reynolds reported that we are probably going to get the fire house this month. He will speak with Rodgers Brothers (the buyers) tomorrow about what they want to do with the property.

The fireman have officially moved as of September 2, 2024

**WBCA:**

Greg Such reported that the administration building work continues. WBCA is now working on the Processing plant and how everything is going to get laid out and a migration plan. Jason Sarver reported that he needs to get together with Jason at WBCA and possibly bring Tom in for some zoning and grading questions.

**Shared Services:**

Bob Leonberg reported that September 12 is the last limb pickup.

**Parking and Signage:**

Greg Such reported that he has not spoken to Chris from Jackson Twp., and will speak to him tomorrow regarding a No Trucks sign.

Joe Dippold met with a professor from Slippery Rock last week and she will be bringing a class down within the next 2 weeks to look at the square.

**BOARD REPORTS CONT.:**

**Harmony Business Association:**

Cathy Rape reported the activities for the month for the HBA:

The Burgh Bits and Bites food tour is September 13

Sock Knitting demonstration at the Weaver Cabin is September 14

October Fest at the Harmony Inn is September 25

There will be a month-long art show sponsored by The Bottlebrush Gallery at ShuBrew

At the last meeting a My Dog's Care Center representative said they have the naming rights for the new dog park in Swampoodle. The name of the dog park will be My Dog's Dog Park.

The next meeting will be on is September 11 at 6:30.

**Other Meetings:**

Tomorrow morning, the County Commissioners will be in town to look at the stormwater projects, mainly one problematic area, German St. in Jackson Twp. Jackson will ask for additional money for tunneling under the tracks. The meeting is at Lagerhaus so there will be additional cars parked in the Borough parking lot.

The commissioner's communication meeting is at 2pm on the 10<sup>th</sup> via zoom.

On September 11, there are 2 storm water meetings, one is Capital Improvement Planning meeting, basically ranking all projects for the next 5 years for the storm water authority. The usual group storm water meeting is at 1:15. Cathy Rape asked if the 8:30 meeting was for the 4 municipalities or the 9. Cathy asked if someone was picked to be our rep yet. Greg replied there hasn't been yet.

**PUBLIC COMMENT:**

None

**BOROUGH STAFF REPORTS:**

**Police Report:**

Report submitted via email.

Chief Miller reported that the guy in the hit and run on Pittsburgh St. was charged.

**Office:**

Cathy reported that Amy is on vacation and will be back tomorrow. Nothing else to report.

**Borough Director of Operations:**

Bob Leonberg reported that he and Melanie have been working on mowing and trimming tree branches throughout the Borough.

Finished painting the crosswalks by the school area

Helped with the water leak on Spring and Mercer St. and noticed that no one stops at the stop sign on Mercer by the Harmony Inn. People just drive right through.

Jason Sarver said that in the 20 years he has lived in town he has never seen the town looking better and just wanted to let Bob know that he and Melanie crew are doing a great job.

The historic street lights are still on order from June

Sapienza's inspected the pickup truck and it passed. The dump truck goes in next week.

Voelker is going to come in and take care of the 3 spots we need patched. Don asked Bob to get a price, and he will send it around to council. Will probably do cold patch at the end of October.

**Zoning and Codes:**

Larry Reynolds report submitted via email.

Greg Such reported that the stop sign at Fox's pizza, Route 68 and Pittsburgh St. has been a long running episode. A resident has asked that certain pine trees and branches be trimmed. The owner did some but refused to do the rest because it is a dust break and a noise break from Route 68. After further investigation, it seems the stop sign is actually in the wrong place. It has likely been moved because if it was where it should be (or used to be) it would more than likely be knocked down. The question is do we move the stop sign to where it is supposed to be and take the chance of having to replace it week after week, or can get away with painting the stop bar on the road where the stop sign should be.

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Don Sims recommends that the Borough Engineer give the answer. The Engineer's solution was to put the stop sign back.

Don stated that there was an email stating that the Engineer (Tom Thompson) contacted PennDOT for guidance but they have not gotten back to him yet. He suspects they will want it moved. Don Sims said it is illegal to run signage over, we can't say we can't put a stop sign here because it may get hit. We can't move it because of people's convenience, because if we have to go to court we will lose. Drew Orient suggests painting a pipe bollard yellow and putting the sign in that. Bob Leonberg said that Fox's concern are the tractor trailers who come into the parking lot for deliveries.

Larry reported on the Mantia property progress. Another letter was sent at the recommendation of the solicitor giving him 7 days. What does council want to do at the end of the 7 days? He has replaced glass and 2 small pieces of wood on the front, he bolted the rear stairway to the building, but has not repaired any trim or painted the building. The rear doors are still unlocked, a concern for injury of someone would go in. There is still a piece of equipment in the back of the building. Solicitor Matt Racunas advised that after the 7 days Larry is to start issuing daily citations. Let them build up to about 10 or so then take to the magistrate. A citation is the next step. His attorney has not gotten back to Matt. Drew Orient asked if he has ever offered a price to the Borough. Years ago, he listed the property for \$300,000. As part of condemnation there is some amount of eminent domain that happens, he would get reimbursed. Matt does not think he is interested in selling it to the Borough. Joe stated he wanted to clarify that Mantia has taken care of safety issues so far so we don't have to worry about someone getting injured. Larry said no, there is some loose trim on the front of the building that could come down, but it is a minute possibility of injuring someone. Jason is concerned about the building being accessible and not locked. He stated it is never safe with a vacant structure, nothing good comes from it. Larry reported a while ago that there were a whole lot of empty liquor bottles in the building. Matt will stay in communication with Larry. Larry asked if they were to be mailed, Matt said send them however we would normally do it. Greg asked if they should be certified. Matt said if we are going to send them certified then send regular mail to. Do them in 10-day increments for the magistrate.

Larry asked what the Borough's feeling on the inspection fees for road opening. Last month Bob and Larry were handed inspection duties for street opening. Do we want to set up a flat fee, a daily fee or a monthly fee, not sure. Matt said there should be a set price plus a linear foot or square foot that should be charged, plus extra fees for engineer. Larry said that is part of the money we retain. We charge \$30 per square foot. On the 3 openings from WBCA, it is a large amount of money. Don asked Larry if he was talking about a fee for his time. Larry said yes, separate from the money we retain. Don asked if there is a fee he accrues from when they submit for the permit. Larry responded that he gets \$50.00. Don feels that should be part of the fee to go out and check it. That should cover the first inspection and making sure it's good. If he has to keep going back out and reinspecting, there should be an additional fee. Don doesn't want anyone to look at us when they get a permit like we are trying to make money because we start adding a bunch of additional fees.

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He feels it should be \$50 for each additional inspection. Don doesn't want to do an ordinance or anything, that should just be part of the overall packet. Matt stated that some street opening ordinances already have that they are responsible for any inspection cost, he is unsure if ours does. Don said it is not stated in ours.

Matt said normally if the engineer goes out to see if the road meets spec, that's covered. When we do the inspection part of the cost for the contractor opening the street those are the fees they should be paying. WBCA are doing very long trenches. Don wants Larry to get something off of Matt so we can start adding that to our packet. Larry has one street opening now that he needs to get back to the utility. The length of the trench they are doing is not going to all be done in one day. He is not sure how long it will take. Don still wants Matt to take a look and see if he has an example that would be helpful. Don doesn't want to do an ordinance he just wants to attached the fee to the application. Greg asked Tom Thompson what Zelie does. Zelie would charge anyone an inspection fee for the time they have. If it is one spot, they charge the normal fee. If it is a large street they charge based on time. Larry asked if he should put TBD in, Greg said put fee to recoup Borough inspectors and any Borough engineer's time. Don doesn't like the open end. Larry feels that he and Bob will be going back quite a few times. Don asked if Larry would be willing to put on their inspection "fees will be required based upon time expected". Matt won't bother looking for anything then since Larry is going to be invoicing for his time and Bob's time. The gas company has a couple of openings on Liberty St. Bob and Larry looked at it and it's a temporary patch. Larry talked to his representative at the gas company, and they are going to come back and replace it. We charge a significant amount for opening the street that we hold to make sure everything is completed properly. Don said this was discussed at the last meeting. Don said that he thought we were going to hold onto it for 6 months, because of what it costs to repair the road. If anything is wrong, then we can fix it and if not then we send it all back. Larry just wanted to make sure.

Bob was on vacation a couple days last week and someone ran over the stop sign on Old Little Creek. They came in the office and reported it and Melanie took care of it by herself with no problem. He just wanted to make sure everyone knew that she took care of it.

Larry stated that the gas company opened up people's property 6 times, so far they have not ben charged for this. Larry would like council's opinion on that. Dave said the ones on liberty St. had straw, so they must have been seeded. He feels we don't need to get involved unless they don't do that. Jason said that sounds like a proper process. Larry is to make sure that they seed it, which is good unless we get a bunch of complaints.

#### **Engineer Report:**

Engineer Tom Thompson reported that we will hopefully get some resolution tomorrow on the Stormwater project and get that moving forward and finalized. Greg asked if we will be ready for easements for the residents. Tom said hopefully.

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For the RACP project, the permit has been submitted for Zelenople's and Harmony's portion of the project. Hopefully we will hear back from PennDOT soon and can get that project out for bid

**COMMITTEE and OTHER BUSINESS:**

**Public Safety:**

Phyllis Metz reported that she has 3 events.

The Sleepy Hollow festival will be on October 12<sup>th</sup> and 13<sup>th</sup>. There will be Children's activities Saturday and a pet parade Sunday at Wood Street Park. They will be closing from Foundry Alley at Wood St to the Jackson and Main intersection. A location for cars and vehicles to load and unload for vendors to set up is needed. The Park electric needs to be turned on. Greg said the electric is always on. Dave said the only one that won't be on is the one behind the fire hall, the museum pays for that one.

Haunted Harmony on October 26<sup>th</sup> there is going to be a mini festival and merchant event. It will be at all the restaurants and stores. People can dress up and go around town in their costumes. No street closures are requested. We have an insurance certificate for both events.

In a motion made by Phyllis Metz and seconded by Frank Luek, the Harmony Borough Council unanimously approved The Sleepy Hollow Festival on October 12<sup>th</sup> and 13<sup>th</sup> and Haunted Harmony on October 26.

Phyllis received another event form today and just had a chance to look over it. It is for Sunday, October 27. It is a walk to benefit breast cancer from 12:30-2:30. Unsure if they will need any roads closed. It is a 1-mile loop starting at Grace Church, Jackson, Liberty, German, Spring and back to the church again. Greg asked if we should get a certificate of insurance. He thinks we need to since there will be people walking the streets.

In a motion made by Don Sims and seconded by Joe Dippold, the Harmony Borough Council unanimously approved the breast cancer walk on October 27 starting at Grace Church and making a loop, contingent upon certificate of insurance.

The Christmas Market will be held November 9<sup>th</sup> and 10<sup>th</sup> from 10-6 Saturday and 10-4 Sunday. They request that we close the square. They have their police request form in already and insurance form.

In a motion made by Dave Szakelyhidi and seconded by Don Sims, the Harmony Borough Council unanimously approved the Harmony Museum Christmas Market to be held on November 9<sup>th</sup> and 10<sup>th</sup>.

**EMS Study**

Greg reported that he sent some material around about 2 weeks ago. It is a multi-community EMS study for the area served by Harmony EMS and Quality EMS. There are 10 communities participating in it, a joint venture.

We are hiring a consulting firm named Robb, they are looking for ways to potentially find EMS services because they are doing financially poorly. Every community has been asked to pitch in \$1,200. Butler County is also funding part of the study. Jason said that the first meeting there was about the fire house, Jay Grinnell went into detail about the problems they are having funding their equipment and everything else. Cathy Rape sees it as something different, compared to the fire company. The fire department is all volunteers. For EMS to get money from the public or maybe a fee they are going to start charging people, then management shouldn't be getting high salaries. Greg said they have a right to pull a salary. Cathy said not at the expense of the tax payers that already have insurance and/or join the EMS membership and they are going to maybe come up with a fee.

Dave and Greg said that is part of the study, to find out if they need a fee. Dave said we are mandated to provide fire and ambulance service.

In a motion made by Don Sims and seconded by Dave Szakelyhidi, the Harmony Borough Council unanimously approved to participate in the EMS Study.

Greg will send the resolution in.

**Business Development:**

Cathy Rape reported that she found an article in the Borough magazine, "Building municipalities with tax exempt properties." If we have 15 % of nonprofit properties in the Borough we could possibly get some funding from the state government. Something to keep an eye on.

Cathy asked if anyone received the resolution supporting the Pa Commission for the United States Centennial. Pennsylvania is the first state to get behind this, and they are wanting the counties to get behind it. Maybe the Commissioners will know more about it tomorrow.

There are banners along 68 for the Fire Department leaving town. Cathy felt it was necessary thing to do and got the banners made. They were \$130.00. Council does not have to reimburse her, if they want to that's fine.

In a motion made by Dave Szakelyhidi and seconded by Frank Luek, the Harmony Borough Council unanimously approved to reimburse Cathy Rape \$130.00 for the signs she had made for the fire department moving out of the Borough.

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Don would like it to be sent out prior to the meeting next time. Cathy said it was a little bit of a rush and she wanted them to see it again before they left.

**Personnel:**

Solicitor Matt Racunas reported an executive session is needed

**Finance:**

None

**Streets:**

Don Sims reported that the last limb pickup is September 12. Leaf pickup starts October 14 and goes until November 20.

**Facilities:**

Dave Szakelyhidi reported that the air conditioner needed replaced in the Borough building. A company came in and replaced but we have not received the invoice. The amount will be under \$6,000.00.

In a motion made by Dave Szakelyhidi and seconded by Frank Luek, the Harmony Borough Council unanimously approved to pay A&E Heating and Cooling, INC an amount not to exceed \$6,000 for installation of the new air conditioning unit.

**Grants:**

Nothing to report

**Training & Conferences:**

There are a few listed in the correspondence list

**BILLS PAYABLE:**

Greg Such reported that the following lists of bills were presented to Harmony Borough Council for approval:

**General Bills Payable** in the amount of \$ 9,500.29

**Bills Already Paid** in the amount of \$ 2,361.61

**Parks Board Bills Payable** in the amount of \$ 110.00

**Parks Board Bills Already Paid** in the amount of \$300.00

**Payroll** in the amount of \$ 8,561.00

**Fire Tax Bills Payable** in the amount of \$30.08

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**BILLS PAYABLE CONT.:**

Frank Luek saw a misspelling on the bills list under Lake Forest Gardens, not in the minutes

In a motion made by Dave Szakelyhidi and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved all bills for payment as presented on the lists.

Greg called for an executive session at 8:00pm; council came out of executive session at 8:15pm

In a motion made by Joe Dippold and seconded by Phyllis Metz, the Harmony Borough Council unanimously approved to terminate employee #26 for abandonment of post.

**New Business:**

In a motion made by Frank Luek and seconded by Don Sims, the Harmony Borough Council unanimously approved to purchase an appreciation plaque for the Harmony Fire District.

**Adjourned: 8:19 pm**

As there was no further business to discuss, the Harmony Borough Council adjourned the March 3, 2020 meeting at 9:23pm.

Respectfully Submitted,



Cathy Funkhouser, Recording Secretary

**Monthly Activity Report**  
**Harmony Borough Code and Zoning Enforcement and**  
**Residential Multi-Unit Dwellings Fire Inspection**

**August 2024**

Received Street Opening Permit Application from Peoples Gas for Liberty Street.

Walked the area of Liberty Street in the Peoples Gas Application and could not figure out the work areas listed in the Application. Took several photographs of possible sites. I will follow-up with Kaitlin of Peoples Gas to try and get the correct information.

Prepared an email for Kaitlin of Peoples Gas requesting her input to glean the correct information on Liberty Street.

Worked on Street-Opening Permits for WBCA. Prepared a report for the Council and copies for the council.

Stopped by the office to pick up mail. Amy showed me exactly where Peoples Gas dug up and repaired Liberty Street. I took photos of the repairs and will include them in the Peoples Gas Application. Attended HARB Meeting.

Attended Council Meeting. Bob and I were assigned the inspection duties for all street openings.

Received a complaint concerning the "sink hole" developing along Spring Street. Visited the site and photographed the pavement depression. Will report the problem to WBCA. Received another complaint about the tree on the corner of Pittsburgh and Route 68. Visited the site and photographed the offending branch. Will contract the owner again to ask that the branch be removed.

Prepared a third Notice of Violation for Lisa Zimmerman in reference to her low hanging branches along Pittsburgh and Route 68. Received a complaint about Adams Barber Lounge signs on the triangle of Main Street and Route 68. I investigated and photographed them. I spoke with Adam who promised to remove them within 24 hours. Met with Bob Leonberg at the Liberty Street repairs by Peoples Gas. The repairs are cold patch instead of the correct hot patch and need a sealant on top. I prepared an email to Peoples Gas requesting the insufficient repairs be corrected. Stopped by the office to pick up mail and sign Zimmerman letter.

Received an email reply and spoke with Kate Warfield of Peoples Gas concerning the less than optimum patches on Liberty Street. I was informed that these patches are strictly temporary and will be properly sealed with a hot patch and top sealed.

Spoke with Police Chief James Miller concerning the pine tree blocking the sight line at Pittsburgh Street and Rout 68. He sent an officer to check if the sightlines met with Police approval. The report back was the Police have no objections as to the current sightlines. He and I discussed alternatives to the current location of the Stop Sign. One being moving the Stop Sign back to its original position. Two is to paint a stop line at the intersection with the word stop. Zelenople has and will loan Harmony the stencil to paint "stop". The third alternative is to do nothing and explain to people complaining that the Police have approved of all sightlines. I prepared a report of my finding and forwarded it to Greg Such, Don Sims, Cathy Rape and Amy.

Received a call from Jeremy Jones requesting a dumpster permit for 421 Liberty Street. Met him at his property and outlined where he could place the dumpster. Approved the Permit Application. Received a call from Brianna Laslett of Smart Roof requesting a dumpster permit for a roof replacement in Seneca Heights. Amy mailed the form to her.

Received a call from Mr. Wayne Henshaw requesting information on 218 North Charles St. I inquired as to 218 and discovered there is no such property. I left a message to have him call me back to clarify his request.

Received a call from Brianna of Smart Roof requesting another permit for a dumpster. Amy sent her one on August 15th and she never received it. Amy emailed one to her as we only need the top sheet.

Received a call from Nick of Firefighter asking about a permit for Steamfitters Hall. I explained that they are in Jackson Township and gave him the number to call.

Received a call from Mr. Rick Whalen concerning a property at 220 N. Charles Street. He was attempting to buy the home and wished to expand the very small cape style house. I told him I would investigate the property and give him my opinion. Spoke with Matt Racunas as to the proper wording for the Mantia "Out of Time" letter. Prepared the letter to be sent out by Cathy and emailed copies to Greg Such, Matt Racunas and Cathy Rape.

Took a ride out to 220 N Charles Street to determine the possibility of expanding the existing house. The house is too close to the street at about 20 feet so it could not be expanded out the front, but the back side of the property offers significant opportunity for expansion. I discovered there is a strip of property along the edge of 220 N. Charles that is in tax foreclosure and not part of 220. This reduces the size of any expansion of the 220 home.

Spoke with Mr. Joesph O'Reilly concerning his lack of payment for his two apartment inspections. He stated that he never received the invoice. I emailed him a copy of the invoice and he promised to pay the bill shortly. Spoke at length with Mr. Bob Stamm of Armstrong Cable in reference to installing a new fiber optic cable along Seneca Drive and Harmony Heights. Emailed him a road opening application. Left message with Mr. Pat Murray in reference to past due invoices for apartment inspections.

The email to Mr. O'Reilly bounced. I called him to clarify the error in his email address and resent the email. Prepared Time Sheet and Monthly Report and information WBCA Permits and Matia Building for the Council Meeting.

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Respectfully submitted,

Larry A. Reynolds  
Code Enforcement/Zoning Officer